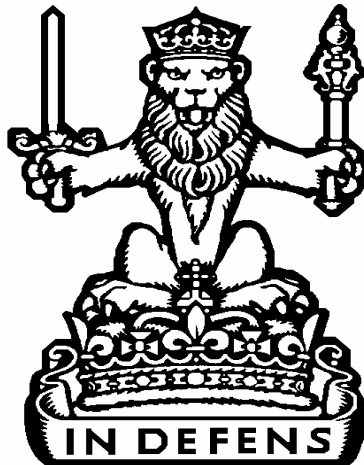


CROWN OFFICE AND
PROCURATOR FISCAL SERVICE



ARGYLL & CLYDE AREA
BUSINESS PLAN

2008-09



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EXECUTIVE SUMMARY

ARGYLL AND CLYDE BUSINESS PLAN – 2008/9

Aim

The Area aim is to provide an independent, modern prosecution service in Argyll and Clyde, which is committed to professional excellence, pursues cases fairly and consistently in the public interest and is responsive to the public's needs.

Structure

The Argyll and Clyde Area presently encompasses six offices with the Area split into two Districts each co-terminus with the Police Divisions K (Renfrewshire and Inverclyde) and L (Argyll, Bute and West Dunbartonshire).

The area which covers K Police Division encompasses the Paisley and Greenock offices with the Dumbarton and Argyll (Dunoon, Campbeltown and Oban) offices covering the Police L Division.

Objectives

The Area aims to meet all published departmental targets in the forthcoming year although resource constraints and increased activity due to new legislation may continue to cause difficulty in realising this aim.

We will work to maintain and improve links with local communities, including minority ethnic groups, and wider diversity communities and to combat the corrosive effect of anti-social behaviour by working alongside partner agencies.

Working practices

We will carry out a thorough review of work processes, in line with our Continuous Improvement Strategy, in the context of the reorganised structure to ensure the most efficient and effective use of resources. We will make best use of IT solutions and modernise working practices appropriately in accordance with our Data Quality Strategy. We will continue to review and document all our processes as part of our continuing Process Review strategy. We will extend the marking initiative currently in practice in Renfrewshire and Inverclyde. We will make preparations and undertake training for the implementation of Summary Justice Reform.

Working with Criminal Justice Partners

We will continue to work closely with Criminal Justice Partners, in particular, with Strathclyde Police and the Scottish Courts Service, especially in relation to court programming to achieve effective and efficient joint working practices in line with established national protocols while achieving local efficiencies. We will continue to focus on persistent offenders and quality of life issues as detailed in the Local Criminal Justice Board plan and in line with the COPFS Strategic Plan. We will also

work as part of the Community Justice Authority to ensure the best for local communities.

Prosecution of serious crime

We will continue to develop the abbreviated Sheriff and Jury Precognition initiative to ensure that we concentrate on the preparation of High Court cases. We will work closely with Strathclyde Police to ensure effective investigation and prosecution.

Risk management

Risks will continue to be monitored and controlled by application of the measures set out in the Plan although there may be a likelihood that resource constraints could result in increased risk across the key activities.

Staffing

We will require an extra Sheriff and Jury Court resource (Legal Band E) to service the extra court brought on by the rapid shift of a large amount of Sheriff and Jury business from preparation to court. We will also require a Legal resource to act as a permanent High Court sitting manager given the significant increases in High Court sittings in Paisley and the impending sittings at Greenock.

We will require 1 Band C and 6 Band B's for the increase in work caused by the Disclosure practice.

We will also require an additional Band C resource assigned to our VIA team within K Div to assist with the increase in workload due to the Vulnerable Witness Legislation.

We will also require 2 additional B's, one to assist with the implementation of the Vulnerable Witness legislation, the Sexual Offences Review and Summary Justice Reform and one in support of the significant increase in Sheriff and Jury courts. We will also utilise these resources for the abstractions we will suffer in relation to the training for Summary Justice Reform and the Sexual Offences Review.

Training

More abstractions than ever are anticipated due to training requirements to fulfil the new process requirements developed in the wake of legislative change, particularly Summary Justice Reform, the Sexual Offences Review and Disclosure.

1. BACKGROUND

1.1. Introduction

Aim

The Area aim is to provide an independent, modern prosecution service in Argyll and Clyde, which is committed to professional excellence, pursues cases fairly and consistently in the public interest and is responsive to the public's needs.

Purpose

The purpose of the plan is to set out how Argyll and Clyde will contribute to the department's goals and targets and provides a keystone for individual performance agreements. The plan focuses on achievement to date and our proposals for 2009/10.

Achievements 2007/8

This has been an excellent year for Argyll and Clyde, performance against targets has improved throughout the Area. Our major achievements in 2007/8 were;

- Restructuring of Area to be co-terminus with Police Divisions
- Above average for weighted units for Area
- Increase in the management of High Court sittings to 3 weeks out of 4
- Marking Initiative in Renfrewshire and Inverclyde
- Sheriff and Jury Abbreviated Precognitions
- Persistent Offenders Protocol
- Quality of Life and ASBO protocol
- The establishment of an Argyll and Clyde Diversity consultation Forum
- FOS2 training and implementation
- Summary Justice reform Phase 1 training

Challenges 2008/9

- Continuing refinement of the Area re-structuring including the re-branding of identities
- Summary Justice Reform
- Disclosure
- Development of Marking Initiative and associated IT applications
- Vulnerable Witness Act
- Sexual Offending
- Violence Reduction
- Developing the Persistent Offenders Protocol into a Multi Agency Prolific Offenders Strategy
- Extending the Sheriff & Jury Abbreviated Precognition initiative to further categories and by using IT to best effect
- Increase in the management of High Court sittings
- Rationalising the reporting of CAP cases using IT to best effect
- Local Criminal Justice Board
- Criminal Justice Authority

1.2 COPFS Corporate Context

Upon taking office in May 2007, the new Scottish Government published *Principles and Priorities: The Government's Programme for Scotland*¹ which includes 5 strategic national objectives, one of which is a commitment to a **'safer and stronger' Scotland**.

The following section summarises the corporate context for the Crown Office and Procurator Fiscal Service (COPFS). This is more fully considered in the COPFS Strategic Plan 2006-08 and supporting annual Business Plans.

1.1.1 COPFS Corporate Aim:

Serving the public interest, prosecuting cases independently, fairly and effectively.

1.1.2 Functions of COPFS:

The functions of the Crown Office and Procurator Fiscal Service are:

- *to provide the sole public prosecuting authority;*
- *to investigate sudden and suspicious deaths and, where appropriate, conduct public inquiries;*
- *to investigate independently all complaints of criminal conduct by police officers.*

We work closely with our criminal justice partners to help make Scotland a safer place. The Department plays a pivotal role within the criminal justice system in maintaining the security and confidence of all communities in Scotland in the criminal justice system. Our **core values** are **impartiality, integrity, sensitivity, respect** and **professionalism**.

1.1.3 Corporate Objectives:

A summary of the COPFS published corporate objectives and targets and supporting internal targets which support the Government's strategic objective is provided in Annex I. The 4 COPFS corporate objectives are shown below. (The Objectives & Risk Register for the area is considered more fully in Annex II. This document outlines how we plan to deliver each objective together with target completion dates, resources, controls and key risks.)

COPFS Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

COPFS Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

COPFS Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

COPFS Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

¹ [<http://www.scotland.gov.uk/Publications/2007/09/05093403/0>]

1.2 Local Context

1.2.1 Local Aims & Objectives:

The following are local supplementary targets which directly relate to the Departmental Objectives:

Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

Working with Criminal Justice Partners:

- To develop the initiatives currently in place in relation to the quality of police reports between Strathclyde Police and Argyll & Clyde Area to reduce, in partnership with Strathclyde Police, the percentage of reports submitted and thereafter marked No Proceedings as a result of insufficient admissible evidence or further action disproportionate by 31 December 2007.
- To reconcile / rationalise Court structure and programming across Argyll & Clyde in partnership with the Deputy Area Director, Scottish Courts Service, Area North, in line with the Summary Justice Reform changes no later than 31 December 2008 to achieve efficiency in the use of resources.
- District PF's to meet Police counterparts regularly to analyse the No Proceedings / Police discuss statistics with a view to (1) reducing the percentage of cases marked No Proceeding Insufficient Admissible Evidence and Further Action Disproportionate; (2) improve the quality of reports generally.

Complaints Against the Police:

- Rationalise the reporting of CAP cases, in discussion with Strathclyde Police and extend the system of secure electronic transfer of reports to all CAP cases.

Quality Monitoring:

- Area Team to receive a report from District PF's regarding the quality of No Proceedings markings monitoring 25% of NP Other, NP Insufficient Evidence and NP Miscellaneous and 10% of NP Further Action Disproportionate by the end of each quarter.
- Area Team to receive a report from District PF's regarding the quality of a 10% sample of FOS Marking at the end each quarter.
- Full time Data Quality resource (Band B) to monitor the quality of data input into the SOS/Promis system, in line with the Data Quality Strategy, utilising error reports and provide report to the Area Team quarterly.
- Managers to monitor the information held on local spreadsheets regarding solemn work, deaths, pre-petition cases with regard to throughput and quality and report quarterly to the Area Team.

- To work with the Argyll and Clyde Criminal Justice Board and Community Justice Authority throughout the year with the aim of achieving a more cohesive approach to CJ issues such as Quality and Submission of Police Reports, Warrants, Victims and Witnesses etc.

COPFS Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

Persistent Offenders Protocol

- To monitor the effectiveness of the Persistent Offenders Protocol with Strathclyde Police across the Area to ensure that offenders are dealt with consistently and efficiently.

Key undertakings by Argyll and Clyde include: -

- the proactive “rolling up” of cases for persistent offenders and the issuing of appropriate warrants;
- the seeking of remands and where these were inappropriate, appropriate bail conditions including curfew conditions;
- the feeding back of bail decisions and court progress reports to the police.

As part of the work of the North Strathclyde Community Justice Authority, develop a Multi Agency Prolific Offenders Strategy designed to reduce re-offending as well as deal optimally with persistent offenders.

Sheriff and Jury Precognition Initiative –

- Following the restructuring of Argyll and Clyde Area in summer 07 and the establishment of distinct High Court and Sheriff & Jury Units for Renfrewshire and Inverclyde, the solemn management teams looked carefully at the processing of solemn work and, in light of this review, a submission was made to Crown Office that a pilot project using a revised precognition format for Sheriff and Jury cases was appropriate.

The underlying aim was to improve existing processes of Sheriff & Jury precognition with a view to ascertaining the scope for streamlining and increasing productivity and scope for earlier indicting. The management team recommended to Crown Office an abbreviated process for precognition of specific categories of cases where a sentence of one to two years was likely. It was felt that there was scope to produce a product in such cases which was more fit for purpose for prosecutors in court – and which provided a sufficient basis upon which authority to indict could be given by Crown Counsel.

The anticipated benefits were realised. The project provides a basis for a more effective use of precognition and depute resource and has seen, in the early stages, a further increase in Sheriff and Jury productivity and monthly precognitions to Crown Office. Although it is still early days the product has met the needs of the depute in court. We will develop this project throughout

2008/9 particularly in relation to the categories of case included and better use of IT

Centralised High Court Units.

- The setting up of a High Court Unit in the Paisley PFO with a permanent High Court Sitting manager will allow for the most effective management of the High Court which is now sitting continuously in Paisley 3 weeks out of 4 – an increase of 50%. The High Court work for Argyll, Bute and West Dunbartonshire has been centralised in the Dumbarton PFO.

Disclosure

- Compliance with disclosure requirements has resulted in the continued evaluation of processes to assess the impacts in relation to resources and costs involved and to ensure the early disclosure of witness statement to the defence.

Sexual Offences Team for Renfrewshire and Inverclyde –

- The continuing high profile of Sexual Offences and their investigation and prosecution and the increasing complexities in relation to both the cases investigated and the associated disclosure issues has led to the introduction of a specialist resource in Paisley to deal with such cases. It is anticipated that the training and development commitment for members of this resource and the operational demand on them in the coming year will be significant, particularly against the background of the implementation of the recommendations in the Sexual Offences Review and the developing law and practice in relation to disclosure. This resource will also have to work in the closest cooperation with Strathclyde Police Renfrewshire and Inverclyde Family Protection Unit which has a similar speciality.

COPFS Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

- Continue to implement the new procedures in relation to the Vulnerable Witnesses Act

COPFS Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

- To continue to monitor the departmental death procedures and pathology contracts and ensure value for money in their usage.
- To establish a protocol with the NHS locally in relation to the electronic reporting of sudden or unexpected deaths.

1.2.2 Structure of Argyll and Clyde Area:

The Argyll and Clyde Area presently encompasses 6 offices with the Area split into 2 Districts each co-terminus with the Police Divisions K (Renfrewshire and Inverclyde) and L (Argyll, Bute and West Dunbartonshire).

The area which covers the Police K Division encompasses the Paisley and Greenock offices with the Dumbarton and Argyll offices covering the Police L Division.

There is a District Procurator Fiscal based at Paisley and a District Procurator Fiscal at Greenock

In respect of the Argyll offices Campbeltown has no resident District Procurator Fiscal and the District Procurator Fiscal at Dumbarton holds a commission for both offices. A depute from the Dumbarton office is required to attend at Campbeltown to conduct courts, and the legal office work is attended to either in Campbeltown or in the Dumbarton office where some three depute days a week are allocated to it. There is a Band C Manager at Campbeltown, who holds a commission and who has responsibility for all the administrative duties in the office and the management of the remote typing Unit housed in the Campbeltown Office (4 staff). The Dunoon office has a resident District Procurator Fiscal, who reports to the District PF Dumbarton, and 1 admin member of staff. The Oban office has a resident District Procurator Fiscal, who reports to the District PF Dumbarton, and 1.7 admin staff.

The Area office is staffed by the Area Procurator Fiscal and Area Business Manager supported by 2 Band C's and a Band B.

1.2.3 Scale of Activity:

Overall the A & C Area caseload is showing an increase with the number of reports received up by around 4% year on year. In this business year 2008/9, we predict a number of local initiatives in pro-active joint working with Criminal Justice partners which will also impact on the number reports and may result in a further increase although this must be considered in the context of Summary Justice Reforms. However, the increase in the number of cases placed on petition by 9% must be placed against the 69% increase from last year. We have increased the output in Precognitions reported to Crown Office by 69.5% over the preceding 12 months (Nov-Oct). This has reduced our work in progress by 68.4% which has resulted in us increasing the number of Sheriff and Jury Diets to dispose of the significant increase in indictments. We have covered these extra diets with the increased use of Ad-Hocs in Paisley and Greenock Sheriff Courts.

1.2.4 Summary Organisation Chart:

For a detailed breakdown of the organisation of Argyll and Clyde see Annex II

1.2.5 Resources:

For a detailed analysis of staff service and experience see Annex III

2 ENVIRONMENT & STAKEHOLDERS

2.1 COPFS Corporate Context

2.1.1 External Factors impacting on COPFS:

Legislative changes and Appeal Court decisions can result in changes to meet new requirements in a fluid and changing environment which impacts on the public and political profile of COPFS. These, often unforeseen, external factors can have a high impact on the business processes and puts pressure on the Department for changes to facilitate updated legislation.

- Summary Justice Reform,
- Disclosure
- Vulnerable witnesses
- Also any Scottish Government / Central government policies and initiatives

2.1.2 Stakeholders:

- Scottish Parliament Justice Committees 1 & 2
- Scottish Government Directorates
- Criminal Justice Partners – Police, the Judiciary, Scottish Court Service, Scottish Prison Service
- Criminal Justice Boards
- The General Public
- Victims & Witnesses
- Defence Agents

2.1.3 National Framework: Best Value

Since April 2002 there has been a duty of Best Value on Accountable Officers to “ensure arrangements are in place to secure Best Value”. The duty was described in published guidance as:

- the duty of Best Value, being to make arrangements to secure continuous improvements in performance and
- to have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.

COPFS recognises the intrinsic benefit of Best Value principles operating at all levels of the organisation and ensures that they are placed at the heart of all business reforms e.g. the introduction of disclosable summaries of evidence.

Joint working continues with protocols with criminal justice partners, implementation of disclosure, e-citation and Summary Justice Reform. Re-cycling and opportunities to reduce or eliminate travel by the use of more video conferencing and the use of a carbon levy on flights aimed at making a contribution towards ‘sustainable development’ continues to be employed.

2.1.4 National Framework: Efficient Government

The Service will play a full part in contributing to the planned savings in the Scottish Government’s Efficient Government programme for the Spending Review Period through to March 2011. COPFS is already recognised for its ability to deliver – the former Scottish Executive’s Budget Review Group, led by Bill Howat found in COPFS “*a culture that encouraged creation of savings to cope with identified future targets.*” The report also concluded that COPFS was an “*exemplar for the Scottish Executive in effective management of change and we recommend that their approach to delivery efficiency is made more widely known across Scottish Executive Departments.*” Nonetheless Strategic Spending Review 2007 (SSR07) places significant pressures on COPFS to deliver further on efficiencies, requiring Cash releasing savings of 2% in each of the 3 spending review years. COPFS will develop its Efficient Government Plan to address this and will build on efficiencies in working practices including Summary Justice Reform.

2.1.5 National Framework: Sustainable Development

In support of our commitment to sustainable development we will:

- provide increased training for prosecutors in dealing with environmental and wildlife crime
- take criminal proceedings where the evidence available justifies it and where prosecution is in the public interest
- continue to improve our approach to the prosecution of these cases which are reported principally by the Scottish Environmental Protection Agency (SEPA) and local authority environmental health departments
- seek to replace any legacy paper-based systems where practicable and repeat initiatives carried out in Fife and Grampian last year to further reduce paper filing and storage where the opportunity arises
- continue to follow best practice in e-procurement
- impose the carbon levy, promote environmentally friendly transport options
- promote the use of video-conferencing where practicable
- seek to ensure recycling contracts are in place across the estate
- aim to replace pool vehicles with more environmentally friendly powered versions
- examine options for using the most environmentally-friendly building materials on our own estate.

2.1.6 Key Issue: Equality & Diversity

Equality

The Service is committed to promoting equality and ensuring that services are accessible to the diverse communities throughout Scotland. Our effort, assisted by the Independent Inspectorate of Prosecution's review recommendations, is to target and improve the handling of race, religious and other hate crimes in order to bolster confidence in the justice system amongst minority groups. The Inspectorate has recognised in its reports the positive work done by Procurator Fiscal Offices in the handling of race crime cases.

Diversity

The Diversity Team is responsible for drafting, updating and providing advice across all 6 diversity strands - race, disability, gender (including transgender), religion & belief, sexual orientation and age. More recently, it has also been actively engaged in preparing Disability and Gender Equality Action Plans for incorporation into the Scottish Government's Equality Schemes in order to meet requirements of the Disability Discrimination Act 2005 and Equality Act 2006. These acts place a statutory duty on all public authorities to eliminate unlawful discrimination and harassment and promote equality of opportunity. The 3 year plans are published on the COPFS intranet and website. COPFS Diversity Proofing Tool provides a means of assessing the impact of COPFS's policies and practices, on different people – public and staff, once they are in operation.

Another significant demonstration towards promoting diversity issues both within and outwith the Service is the appointment of the Crown Agent as the Scottish Government Diversity Champion.

The new Equality and Human Rights Commission (EHRC), launched on 1 October 2007, brings together the work of the three previous equality commissions and also takes on responsibility for the other aspects of equality: age, sexual orientation and religion or belief. The EHRC will monitor progress of equality action plans and has powers to enforce the equalities duties of organisations and public authorities.

2.2 Local Impact of External Influences

2.2.1 Processes:

- **Summary Justice Reform** will have a great impact on COPFS in its entirety and A & C will be no exception. We will work with Criminal Justice partners to position ourselves favourably to implement the new working practices. Covering the abstractions for staff training will be a challenge but essential to ensure that we are equipped to deal with changes in relation to the bulk of our work. This will cause difficulties in meeting the business requirements during the training and implementation phases throughout the current business year.
- **Disclosure** - In a business sense, the impact on resources has been keenly felt with the bulk of the work being carried out at the beginning of the process and with the number of preliminary hearings increasing with additional requests being made of precognoscers taking some 30% to 40%, or more of their time. The development of disclosure policy and practice will increase that figure. This will continue to be very difficult to subsume without additional resources for this purpose.
- **Sexual Offences Review** - The implementation of the recommendations of the Sexual Offences Review and the associated training and development commitments in that regard will result in resources having to be diverted from other areas of work to the preparation of cases involving sexual offending. This will be exacerbated by the complex and ever deepening and broadening disclosure implications which probably create more difficulties than in any other category of case.
- **High Court Sittings** – In the Area the High Court has traditionally sat at Paisley. In the last year the number of sittings at Paisley has almost doubled. In addition to the Paisley sittings, in the forthcoming year it is expected that there will be additional sittings in Greenock. The additional loadings came with no notice and no additional resource. There is no cause to believe that this burden will reduce – quite the contrary.
- **Diversity** – See our detailed action plan in Annex IV

2.2.2 Legislation:

- **The Vulnerable Witnesses (Scotland) Act 2004** which came into force on 1 April 2005, is designed to make it easier for children (those under 16) and adult vulnerable witnesses to give their evidence in court and to introduce greater certainty for such witnesses in relation to special measures. VIA staff have taken on the mantle to fulfil COPFS obligations in relation to the initial implementation phases of the Act and have coped admirably with the additional commitment and associated work required. Most provisions to date have applied to solemn cases involving child witnesses which were reported to the PF on or after 1 April 2005 but

provision has expanded to include vulnerable adults. If it is anticipated that VIA staff will continue to deal with this phase we will require to re-assess the extent of the impact on those staff and to evaluate the costs and resources associated. In A & C the VIA staff simply do not have the capacity to take on another major area of work and we will require an additional support resource to ensure we continue to fulfil our obligations to the Act.

2.3 Stakeholders

- Strathclyde Police and the Scottish Court Service, North Strathclyde Area.
- Scottish Prison Service and Reliance Custodial Services.
- Members of the Scottish Parliament and Members of Parliament.
- West of Scotland Racial Equality Council.
- Voluntary organisations such as VSS and Women's Aid.
- Local Faculties of Procurators.
- Local Council Authorities.
- Scottish Children's Reporter Authority
- Victims and Witnesses.
- General Public

3

OPERATIONAL ISSUES

3.1 COPFS Corporate Context

3.1.1 Key Issue: Deliver justice through the timely, efficient and effective prosecution of crime (ref COPFS Objective 1)

Future Office System (FOS) Phase 2 deals with all aspects of summary casework except breaches of court orders and appeals. The Phase 2 upgrade was implemented in 2007 and will remain the primary case management system in COPFS between 2008 and 2013, upgraded and expanded during that time. There will be little development of FOS during 2008-09 because of the establishment of a new support and development contract covering the 2008-2013 period.

Considerable changes will be introduced in 2008-09 as a result of the **Summary Justice Reform Programme**:

- expanded police direct measures will remove a degree of police reporting (projected at up to 10%) which will reduce case marking activity in FOS
- expanded COPFS direct measures will reduce the number of cases marked for court proceedings (it is difficult to project by what level because it depends on the take up of direct measures by the accused)
- fiscal fines will not require to be processed by COPFS where they are not paid and this will free up Band B resource which is currently used to process unpaid fiscal fines in FOS
- it is anticipated that more cases put into court will result in earlier pleas of guilty before a plea of not guilty has been tendered and this will reduce the work done by Band B staff in summary teams in ordering witness statements and citing witnesses. The latter point will allow Summary Teams to prepare the smaller number of cases proceeding to trial more effectively.

3.1.2 Key Issue: Give priority to the prosecution of serious crime (ref COPFS Objective 2)

3.1.3 Key Issue: Providing services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies (ref COPFS Objective 3)

In preparing for the next stage of Phase 3 of the **Vulnerable Witnesses Act**, it is clear that the application of the Act's provisions to vulnerable adults in summary proceedings will increase the number of witnesses entitled to special measures.

The anticipated resource implications are as follows:

- the requirement to explain the options available and to pro-actively obtain the views of vulnerable adults and their carers
- the preparation and lodging of Vulnerable Witness Applications
- carrying out additional preparatory work in advance of Intermediate and First Diets.

As our commitments to victims and witnesses have increased and widened in scope to other groups in society there will be a need to ensure staff are made fully aware of the Service's responsibilities in the area and given necessary guidance.

Similarly the **Sexual Offences Review** implementation will involve training and accreditation with consequent resource implications in terms of training time and accredited staff allocation. The accreditation process is due to start from early 2008. In practice, we envisage that precognitions may take longer since more is required in terms of the interview process. Liaison with the police may be more extensive and also internal feedback may increase and possibly with other agencies (e.g. between Glasgow PFO and the pilot sexual assault referral centre). The full implementation programme is still in the course of preparation and will be shared with colleagues as soon as finalised.

3.2 Operational Priorities & Business Risks

- See Annex V

3.3 Workload & Staffing Forecast

- See Annex VI

3.4 Performance Measures

Target	Strategic Objective		PFS	A&C Area
Custody Cases: Serve Indictment	Serve 100% by 80th day	High	99%	100%
		Sh & J	100%	100%
Bail Cases: Serve Indictment	Serve 100% in 10 months	High	100%	100%
	Serve 80% in 9 months		90%	98%
	Serve 80% in 9 months	Sh & J	85%	88%
	Serve 80% in 8 months		61%	56%
Take/Implement Decision	Process 75% within 4 weeks		76%	82%
Routine Death	Investigate 80% within 6 weeks		97%	94%
Investigate Death	Investigate 80% within 12 weeks		81%	80%
CAPs: Area PFs	Close in 12 weeks - 90% of cases		84%	94%

The above figure for Sheriff and Jury Bails (8 months) is for 12 months to November 2007. The actual figure for the month of December is 86%

3.5 Process Reviews

Process reviews are undertaken in this Area as a matter of course, we are constantly reviewing processes and posting our reviews on the Intranet.

Paisley Agreement of Persistent Offenders Protocol Process Review
Paisley Agreement of Quality of Life Protocol Process Review
Paisley Application of Persistent Offenders Discipline Process Review
Paisley dealing with Campbeltown Mail Process Review
Paisley Delegation of Appeals Work Process Review
Paisley Establishment of Liaison Desk with K Division Process Review
Paisley FOS Marking Process Review
Paisley Good Behaviour Reports Process Review
Paisley one to one working in Solemn Unit Process Review
Paisley Pleading Diets and Disclosure Mail Process Review
Paisley Pre-Marking Initiative Process Review
Paisley Pro-Active Chasing of Section 76 Pleas Process Review

Greenock Countermands Process Review
Greenock ID Court Process Review
Greenock Solemn Process Review

K Division – Abbreviated Sheriff & Jury Process Review
K Division – Court Time Process Review
K Division – Intermediate Diet Process Review
K Division – Marking Process Review
K Division – Sheriff & Jury Process Review

Dumbarton Custody Statements Process Review

L Division – Argyll High Court Precognition Process Review
L Division – Dumbarton Abbreviated Sheriff & Jury Process Review
L Division – Dumbarton/Camp Work Management Process Review
L Division – Dumbarton Child Witness Notices Process Review
L Division – Campbeltown Admin Practice
L Division – Dunoon Admin Practice

3.6 Efficient Government Plans

In respect of financial efficiencies the Divisional Commander has reported to the Area PF that the pre-marking initiative saves him an estimated £300,000 per year. This figure will increase by approx 50% when we bring Argyll, Bute and West Dunbartonshire into the pre-marking initiative.

Efficiencies in respect of Summary Justice Reform will be realised in years 2 and 3 of the spending review. It is not possible at this time to forecast accurately what these will be in financial terms. We will also realise efficiencies in respect of the disclosure work we are doing at present when the Defence Agent website is online in late 2008.

HR PLAN

4.1 COPFS Corporate Context

4.1.1 Key Issue: Staffing

4.1.2 Key Issue: Training & Development

Training Division are in the course of developing a training strategy for the next few years and key stakeholders are being consulted on their thoughts in relation to departmental training needs over the coming years.

The early part of 2008 will see the roll out of two major training initiatives. The first is in relation to Summary Justice Reform (SJR) and the next in relation to the Review of Sexual Offences (SOR). For the first time these programmes will be delivered using a blended approach combining e-learning and face to face training.

SJR classroom training will be largely complete by end March 2008. SOR classroom training will encompass a number of different elements. The core face to face course will be rolled out throughout April, May and June 2008. The certification process for staff undertaking this type of work will involve completion of a number of other elements. The impact of the provision of these elements is currently being explored by way of a skills audit.

There is considerable work to be undertaken in relation to the legal training programme. Several courses are in the process of being revised and several more require to be developed. Examples of core courses scheduling include:

- Witness Interviewing Techniques (in development)
- Precognition (in development)
- Evidential Interviewing of Children (under revision)
- Core Legal Modules (under revision)
- Advocacy III (planned)

Responsibility for any training in relation to the use of FOS, SOS and Promis now lies with Training Division and there will be an ongoing commitment to provide training both to new entrants and existing staff.

HR's launch of the People Strategy is likely to have a significant impact on Training Division in relation to design, development and delivery of relevant learning interventions to support the strategy. The same is true of the Careering Ahead project.

4.2 Local Staffing Plan

4.2.1 Key Personnel:

Significant steps have been taken across the Area throughout the previous business year, in planned rotation and training of staff which has provided a more flexible and efficient workforce in the Area. This, alongside process initiatives have meant a proactive approach has been taken to the increased challenges in the workplace and productivity has greatly increased as confirmed by the performance information.

4.2.2 Staff:

For a table of current staff complement by office / cost centre & grade see Annex VII

Professional Skills for Government (PSG) / Skills for Success (SFS) aims to give staff in all areas of the Civil Service the skills and experience needed to design and deliver 21st century services. It aims to build on the significant progress already made across Departments in developing and recruiting the best people to do this. For COPFS in Argyll and Clyde, this will continue to provide exciting developmental opportunities for the staff members involved and will provide cascaded development opportunities for staff at all levels of the organisation, whether formal or lateral.

4.2.3 Other Staffing issues:

We are working for Healthy Working Lives (HWL) Bronze award under the new title. The group needs to meet to discuss 2008 planning. We have in the past year undertaken various topics and covered healthy eating when we circulated information and provided free fresh fruit over 3 months, purchased a George Foreman grill for Dumbarton and scales for a weight loss initiative. We also supported some staff in taking part in 10k runs and circulated information on various charity runs, including a men only run when a small team took part. We circulate health information received from the HWL group

We intend to carry out a monitoring and reviewing exercise in relation to sickness absence across the Area during 2008/9 to establish whether an increased profile and further personal intervention has a positive effect on the level of absence.

4.3 Training & Development Plan

4.3.1 Key Issues:

The Area is represented on both the Departmental Training Steering Group and the Investor in People working group. This ties in locally with our Training Plan which provides for on the job, desk based training which has supported job rotation and the multi-tasking of staff and assisted in providing a flexible workforce throughout the Area. Co-ordinated Learning at Work initiatives and training have also been undertaken as well as very successful Management Training event. The Area Training Plan for 2008/9 is attached at Annex VIII and encompasses as many aspects of lateral and developmental training opportunities as possible to allow staff to fulfil their role as well as to progress within the organisation.

The Plan focuses on the three overriding aspects of:

- Fulfilling generic training for all i.e. Area Training Days
- Fulfilling specific and essential training required through changes in legislation or changes in working practices principally Summary Justice reform and Sexual Offences review
- Fulfilling individual training needs such as on the job training

The starting point used in assessing training needs is the performance management system ensuring that each staff member has an up-to-date and appropriate Training and Development Plan. The multi-tasking aspect of all of the roles within the organisation requires line managers to ensure careful planning takes place to meet business needs and that the investment in staff and their involvement ensures ownership of both their role and the job in hand, in line with the principles of Investors in People (IIP). The District PFs ensure that relevant Training and Development Plans exist for all staff members.

The District PFs also ensure that planned, identified and relevant training is received by staff, that attendance at training events is facilitated and that specific on the job and lateral development opportunities are carried out and made available. After the training has been carried out and in line with the IIP principle of the Continuous Development Cycle, training is reviewed for effectiveness, the added value achieved measured and whether or not it has assisted us in progressing towards our business goals.

We will continue to focus on improving the quality of Data Integrity, led by the Business Managers, and in consultation with Training Division, provide training across the Area where required.

We will continue to invite appropriate 'experts' to our Solemn and Summary Forums to advise legal, precognition and administrative staff on new or updated procedures relating to legal issues and processes which will also facilitate the Continued Professional Development of staff. Finally, we will ensure that all appropriate managers undertake the Management Development Programme and are supported in their participation by their line manager.

5. INFRASTRUCTURE

5.1 COPFS Corporate Context

5.1.1 COPFS Estate - Key Issues:

Over the year the Estates Unit will undertake:

- the completion of the office modernisation programme with major refurbishments in Dumfries and Perth;
- the completion of the refurbishment of the Crown Office Headquarters building;
- in conjunction with Scottish Courts review the location of a number of PFO's where alternative premises may be more cost effective and offer better operational arrangements;
- to provide input to any projects that might have a significant estate dimension, such as the continuing West Lothian project and Enquiry Point project;
- a continuation of any actions arising out of reviews of asbestos, the Disability Discrimination Act and Health & Safety legislation in particular fire risk assessments;
- a continuation of involvement in the planning for the Livingston Justice Centre;
- an assessment of the implications of Summary Court Unification;
- a continuation of the implementation of the COPFS' Green Policy.

In looking to the future, the Estates Unit will document the condition of our estate, to better assess our refurbishment needs and long-term accommodation needs.

5.1.2 Information & Technology - Key Issues:

ISD supports and develops new and existing computer systems so that they improve the effectiveness and efficiency of the Service and meet new business requirements; provides support and assistance to customers; evaluates emerging technologies to determine their use in the future business needs of the Service; and works with other Criminal Justice Agencies, via IS CJIS, to improve information exchange.

The implementation of Summary Justice Reform will be a continuing challenge for the IT staff in 2008 should further changes emerge during the roll-out period.

The selection of a supplier to undertake FOS development over the next 5-7 years will be a critical part of ISD's work in the very early part of 08/09. In the event that this supplier is not the incumbent, ISD will broker a minimum 3-month handover to the successful candidate prior to the commencement of any major development.

The completion of an electronic means of exchanging information with Defence Agents and, in particular, provision of an auditable disclosure mechanism is to feature in next year's ISD programme.

The continued investment in new equipment and technology will continue apace and there will be further videoconferencing units installed across the country to complete the extensive network.

Further work in the coming year will be taken forward to improve the disaster recovery arrangements for critical systems.

5.2 Accommodation Issues

- We have no capital Estates projects for the next year.

5.3 Information & Communication Issues

- We have no capital or communication projects for the next year.

6. FINANCE PLAN

6.1 COPFS Corporate Context

6.1.1 COPFS Budget 2008-09 and beyond – Strategic Spending Review 2007 (SSR07)

The Cabinet Secretary for Finance and Sustainable Growth presented the outcome of SSRO7 to Parliament on 14 November. COPFS proposed budgets for the spending review years 2008-09, 2009-10 and 2010-11 are respectively £110.2m, £118.7m and £120.5m, which include Capital allocations of £5.9m, £6.7m and £7.2m.

These resources will provide assistance to fund acknowledged business pressures, including the Lockerbie appeal and our involvement in the ICL Plastics factory public inquiry. But, as importantly, the funding will allow the Service to respond effectively to the increased volume and complexity of solemn cases and allow us to obtain expert assistance in serious and organised crime cases. Disclosure has placed increasing burdens on the Service, clarified in the recommendations of Lord Coulsfield's review – these will be addressed during the Spending Review period. This increase in funding will also allow us to aid vulnerable witnesses by equipping us to roll out the Vulnerable Witnesses Act and special measures in the summary courts.

6.1.2 Key Issues

There will also be the usual pressures on local budgets brought about by:

- large enquiries
- large and/ or high profile court cases particularly where there are multiple accused, multiple charges, geographically spread and/or large numbers of witnesses
- the cost of a new pay deal from 1 August 2008
- the need to meet our contribution to the Efficient Government agenda

6.2 Budget Proposals

Argyll and Clyde's area budget allocation for 2006/07, 2007/08 as well as the budget proposal for 2008/9 are set out in the table below.

	Budget: 2006/07 (£000)	Budget: 2007/08 (£000)	Budget: 2008/9 (£000)
Staffing	3,468	3,676	3,897
Office Costs	303	283	330
Case Related Costs	744	892	974
Total	4,695	4,851	5,201

6.3 Financial Effect of Proposals / Business Cases

A continued effort ensures that variable costs are regularly reviewed in order that best value is assured. This includes monitoring and reviewing expenditure under each budget heading which has seen potential savings in the 2005-06 budget and will assist in maximising efficiencies in the forthcoming year.

In Argyll and Clyde all Managers are aware of their responsibility for monitoring and controlling budgets in relation to office costs. Each District office monitors the effectiveness of the citing and countermanding of witnesses which has helped to reduce witness expenses and avoid unnecessary adjournments.

Confirmation of analyst fees as well as ensuring only necessary and requested tests are carried out in Post Mortems and that the Post Mortem contract is fully utilised has assisted in realising value for money in utilising procured services. These methods will continue to be employed during the forthcoming financial year.

7. OTHER ISSUES

7.1 Planned Changes in 2008-09

Any changes planned for 2008/9 have been incorporated into this plan.

7.2 Potential Future Changes











7.2.1 2009-10:

7.2.2 2010-11:

8 CONCLUSIONS and RECOMMENDATIONS

Conclusions and recommendations will depend on the final budget settlement. The obvious basic conclusions are that we will have difficulties in absorbing planned changes and will have the gravest difficulties in absorbing unplanned changes. We shall have to be clear about what our real priorities are and we may have to take measured risks to process business to target.

9 ANNEXES

Annex I	Corporate Aim, Objectives and Targets 2008/9	 Annex I Corporate Aim.doc
Annex II	Organisation Charts	 Argyll and Clyde Area Annex II.jpg  Renfrew and Inverclyde Annex II.jpg  Argyll, Bute and West Dunbartonshire
Annex III	Resources	 Annex III Resources.xls
Annex IV	Diversity Plan	 Annex IV Diversity Plan.doc
Annex V	Risk Register	 Annex V ObjectivesRisks Argyll
Annex VI	Staffing Workload Ratio	 Annex VI WorkloadStaffingFore
Annex VII	Current Staff	 Annex VII Current Staffing.xls
Annex VIII	A & C Area Training Plan	 Annex VIII Training Plan 2008-9.doc